

## **REMARKS/ARGUMENTS**

A new supplemental declaration in compliance with 37 CFR 1.67(a) is hereby submitted herewith for the Examiner's approval. It is respectfully requested that the Examiner withdraw the objection to the declaration.

The Examiner has rejected claims 1-3, 6, 9-31, and 33-81 under 35 USC §103 as being unpatentable over *Kinjo* in view of *Suarez*, *Takemoto et al.* and *Kelly et al.* The Examiner's rejection of claims is fully traversed below.

In the Office Action, the Examiner has asserted that *Kinjo* teaches: "providing at least one captured frame which is actually generated for presentation for display on a display (Office Action, page 4, citing Col. 16, lines 8-21 of *Kinjo*). *Kinjo* states: "[t]he reproducing machine 20 reproduces the game scene of the one player or reproduces game scenes of two or more players into one composite reproduced image" (*Kinjo* Col. 16, lines 10-13, emphasis added). It is respectfully submitted that *Kinjo* teaches reproducing game scenes not presenting actual game frames that have been captured.

Clearly, the teaching of *Kinjo* is directed to a game scene reproducing machine and game scene reproducing system based on game history having timing information of output instruction, control information and manipulation information of the games (see, for example, abstract of *Kinjo*). As such, *Kinjo* cannot be combined with any other references to teach of the claimed invention. In fact, *Kinjo* teaches away from capturing actual game frames as it teaches reproducing game scenes. Accordingly, it is respectfully submitted that the Examiner's rejection is improper and should be withdrawn.

Furthermore, it is respectfully submitted that claim 1 recites features that render it patentable over the cited art for additional reasons. Claim 1, among other things, recites that a server device automatically detects a game presentation capturing event corresponding to the outcome of a game of chance. It is noted that *Kinjo* teaches that an operator (player) can select an image to be reproduced (*Kinjo*, Col. 4, lines 53-66). However, it is respectfully submitted that *Kinjo* does not teach automatically detecting a game presentation event.

It is also noted that *Kinjo* teaches that “comment information” can be provided by a service trader, for instance, as a congratulatory message (*Kinjo*, Col. 7, lines 15-29). However, adding “comment information” does not teach detecting a game presentation capturing event corresponding to the outcome of a game. As such, contrary to the Examiner’s assertion, it is respectfully submitted that adding “comment information” does not necessarily imply that the outcome of the game initiated capture of the game. There is a distinction between triggering the capture and triggering addition of “comment information.” In other words, capturing and commenting are events that can be initiated independently and there is no teaching in *Kinjo* with respect to triggering the capture based on the outcome of the game.

Finally, it is respectfully submitted that the “official notices” taken by the Examiner are too broad and vague to constitute an Official Notice. For example, the Examiner states that

Both the concepts and advantages of uploading software from a server to clients were well known and expected in the art at the time the invention was made. A networked server-client architecture for applications is useful for distributing the latest versions of client programs.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to structure the network to upload software to the first device to capture the selected game presentation frame in order to adapt the system to work for Internet browser based games. (Office Action, page 9)

The undersigned seasonably challenges any “Official Notices” taken by the Examiner and respectfully requests that the Examiner provide factual evidence to support the assertions made especially when the assertions dismiss the specific claimed features as expected, well known concepts, or advantages.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to

Deposit Account No. 500388 (Order No. IGT1P038X1). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER LLP

/RMahboubian/  
Ramin Mahboubian  
Reg. No. 44,890

P.O. Box 70250  
Oakland, CA 94612-0250  
(408) 255-8001